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IN THE UNITED STATES JUDICIAL DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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STATE OF UTAH, et. al.,

Plaintiffs,

v.

HAALAND, et. al.,

Defendants,

and

SUWA,

Intervenor-Defendant.

**PLAINTIFFS' MOTION FOR LEAVE TO  
FILE AN AMENDED COMPLAINT**

Case No. 2:24-cv-00172-TS-DAO

Judge Ted Stewart  
Magistrate Judge Daphne A. Oberg

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Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, Plaintiffs, State of Utah, *et al.*, submit this Motion for Leave to File an Amended Complaint. Plaintiffs' original complaint was filed on March 4, 2024. Counsel for Federal Defendants has indicated in writing that they reserve the right to respond to this motion, however they do not oppose

Plaintiffs' motion to Amend the Scheduling Order, which Plaintiffs are simultaneously filing with this motion. Counsel for Intervenor-Defendant has indicated in writing that his client takes no position and does not oppose this motion or the Motion to Amend the Scheduling Order.

Plaintiffs seek to amend their original complaint because of a recent decision by this Court in a relevant case, *Kane Cnty v. United States.*, 2:10- cv-01073, (D. Utah, Aug. 9, 2024), Dkt. 792, which Plaintiffs believe will have significant implications for this case. In accordance with Rule 15-1(a) of the Local Civil Rules for the District of Utah, Plaintiffs have attached as exhibits both a copy of the Proposed Amended Complaint and a redlined version of the Proposed Amended Complaint comparing it with the original Complaint.

In order to allow time necessary for briefing following the filing of this motion and for time to respond to an Amended Complaint, Plaintiffs are simultaneously filing a Motion to Amend the Scheduling Order, which seeks to amend the dates of the of the existing Scheduling Order previously issued by the Court on May 30, 2024. Plaintiffs have conferred with counsel and all parties have agreed that they do not oppose the motion and agree to the dates proposed in the Plaintiffs' Motion to Amend the Scheduling Order.

DATED this 26<sup>th</sup> day of September 2024.

/s/ Roger R. Fairbanks  
Assistant Attorney General  
*Attorney for Plaintiffs*

**CERTIFICATE OF SERVICE**

I certify that on this 25<sup>th</sup> day of September 2024, the undersigned electronically filed the foregoing **MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT** with the Clerk of the Court using the CM/ECF system which will send notification of this filing to all counsel of record.

/s/ Roger R. Fairbanks  
Assistant Attorney General